

Florence, New Jersey
July 11, 2007

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey.

The meeting was called to order by Council President Baldorossi at 8:00 PM. President Baldorossi led the Salute to the Flag.

The following statement was read by the Township Clerk: "Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 7, 2007; given to the Register News for information. Notice was posted on the Municipal Bulletin Board."

Upon roll call the following were found to be present:

Frank Baldorossi, President
John Fratinardo
Bruce Garganio
Elizabeth Ryan
Jerry Sandusky

Also present:

Mayor Michael Muchowski; Richard Brook, Township Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr.; Township Solicitor; Joy M. Weiler, Township Clerk

MINUTES

Sandusky made a MOTION; seconded by Ryan to approve the following minutes. Roll call vote – all ayes. Motion carried.

Regular Session	June 6, 2007 & June 20, 2007
Executive Session	June 13, 2007

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Fratinardo to receive and file the Chief of Police and Township Clerk's report for June. Roll call vote – all ayes. Motion carried.

Ryan made a MOTION; seconded by Fratinardo to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

REGULAR CORRESPONDENCE

Nothing at this time.

APPLICATIONS

A. RAFFLES: St. Nicholas Byzantine Catholic Church, September 9, 2007, 1:00PM – 6:00PM

- On Premise Raffle
- Off Premise Raffle

Florence Township Council Regular Session: 07/11/07

It was on the MOTION of Sandusky, seconded by Ryan to approve the above applications.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinardo, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None Unanimous approval.

B. SOCIAL AFFAIR PERMIT: Societa Di Muto Soccorso Gugliemlo Marconi, Inc., Marconi Lodge Bocce Tournament, August 4, 2007, 9:00AM – 9:00PM

It was on the MOTION of Sandusky, seconded by Fratinardo to approve the above application.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinardo, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None Unanimous approval.

PUBLIC COMMENTS

Steve Mognancki, 904 Walnut Street, stated that the VFW property on the corner of Hornberger Avenue and Tenth Avenue sold and the Planning Board approved the plans last month. He was informed that the new owner now has to come before Council for affordable housing and asked for an explanation? Council Vice President Fratinardo explained that the State of NJ mandates that every new development provide affordable housing. It is based on the number of units: for every unit the developer must provide 1/8 of an affordable housing unit. Council Member Ryan stated that it has not come before Council yet. Dan Guzzi, Township Engineer, explained that what has to come to Council is the agreement for the affordable housing unit; whether it will be done on site or as a contribution. Council will have to approve the arrangement.

Administrator Brook explained that when a developer comes in they are given an information packet and in that packet it advises them of affordable housing otherwise known as COAH. It advises developers that they have an obligation because of a State mandate. The State of NJ mandates to the municipality that it must comply. The developer is advised to submit his information to the township early on how he plans to meet his affordable housing obligation. This developer has not submitted his intentions yet. Until the developer approaches the township, Council cannot act on. Administrator Brook stated that this developer and his attorney are aware of this obligation.

Florence Township Council Regular Session: 07/11/07

Don Kamienski, 10 McCay Drive, stated that Assistant Administrator Sahol called him and advised that he will be approaching approximately 15 residents on Delaware Avenue to get their input on a proposal. The proposal is to have a no parking zone on the northbound side of Delaware Avenue from Station Road to approximately 456 Delaware Avenue. The double yellow line would be moved over two feet towards the northbound side. Mr. Kamienski stated that Assistant Administrator Sahol very kindly mailed him a copy of the letter that will be going out to the residents.

At a previous Council Meeting, Mr. Kamienski provided pictures of vehicles having to cross over the double yellow lines when trucks are parked on Delaware Avenue. He stated that most vehicles cross over the yellow double lines by more than two feet. He suggested that the township consider moving the yellow double lines four feet towards the north to allow the vehicles that cross over not to have to cross over. Mr. Kamienski provided a diagram showing the current situation, moving the double line two feet and moving the double line four feet.

Administrator Brook advised Mr. Kamienski that the letter will be mailed to the residents tomorrow. This will be on the Worksession Agenda, July 18th.

Dennis O'Hara, 871 Wallace Avenue, clarified for the record that the applicant for the VFW property came before the Zoning Board not the Planning Board. He stated the applicant brought in Mr. Pipes, who does affordable housing in different areas. This may be an option for offsite affordable housing. He stated that the applicant is well aware that the application was approved by the Zoning Board with the condition that they have to meet with Council regarding what they were going to do to meet the COAH requirements.

Laurie Goodwin, 116 Eighth Avenue, has heard of a parking problem on Eighth Avenue. She believes that the problem is on the other end of Eighth Avenue, not her end. She does not believe there is a need for lined parking.

Administrator Brook gave an overview of how this came about. He explained that some residents came to the June 20th meeting and asked if the township would consider putting striped parking spaces on Eighth Avenue, very similar to what was done on Second Avenue and Railroad Avenue. It worked out very well on those streets and the residents were satisfied. The governing body wanted to do the same thing on Eighth Avenue and asked administration to send out a letter to the residents and ask for any comments that they have and report back with the feedback. At the time Council considered striping Eighth Avenue, they received a petition where residents were interested in lined parking. Within a week of the June 20th meeting the office started receiving feedback from some of the residents stating that they were not interested in striped parking and they also asked that their name be removed from the petition and the matter be reconsidered. A four page long petition was received the other day indicating that the residents do not want striped parking spaces. Administrator Brook suggested to the governing body that they invite the residents to their Worksession Meeting to express their views. The governing body can then make an informed decision. He believes this is the fairest way. Council in agreement for Administrator Brook to send a letter to the residents of Eighth Avenue and invite them to the August Worksession.

Florence Township Council Regular Session: 07/11/07

In the meantime, Administrator Brook will have the Public Works Department meet with the Township Engineer to measure the road and determine exactly how many spaces will be lost or adjusted as a result of striping. This way all the residents will hear the same information at the same time.

Greg Goodwin, 116 Eighth Avenue, stated that a few years back the Eighth Avenue residents lost the parking in the field. Now if striped parking is put in, he believes they will lose nine to ten parking spaces. At the present time overflow parking is on Main Street and Hornberger Avenue in front of the Roebeling Arms. He does not believe parking is much of an issue. There are other areas where Mr. Goodwin would rather see tax dollars spent.

Administrator Brook explained that the reason it became an issue is because residents approached the governing body about the matter. Some residents felt it was an issue. The governing body is trying to make a reasonable, rational and informed decision.

Joseph Powell, 106 Eighth Avenue, asked why it was just Eighth Avenue being singled out? There are many avenues such as Fifth Avenue and Seventh Avenue that has parking problems. He suggested a full town assessment of the parking instead of singling out one street. Council Member Sandusky stated that they are not singling out one street, Second Avenue and Railroad Avenue were striped. These are avenues where the residents came in and requested it, just as Eighth Avenue residents did.

All residents having an opportunity to be heard, MOTION by Ryan; seconded by Sandusky to close the public portion of the meeting. All ayes - motion carried.

RESOLUTIONS

RESOLUTION NO. 2007-124

**AUTHORIZING THE PUBLIC SALE OF TOWNSHIP
OWNED PROPERTY**

(Motor Vehicles which came into possession of the Florence Township Police Department
through abandonment or failure of the owners to claim)

RESOLUTION NO. 2007-125

**AUTHORIZE APPROVAL OF GRANT APPLICATION
BETWEEN THE ROEBLING HISTORICAL SOCIETY AND THE
UNITED STATES DEPARTMENT OF ENVIRONMENTAL PROTECTION
FOR THE HISTORICAL SCULPTURE GARDEN**

It was on the MOTION of Sandusky, seconded by Fratinardo that Resolutions 2007-124 through 2007-125 be approved.

On the Question

Florence Township Council Regular Session: 07/11/07

Council Member Garganio believed that township auctions were to be held on Saturdays and questioned why the abandoned vehicle auction was being held on a weekday? Joy Weiler, Township Clerk, explained that the decision was made to hold the auctions for equipment on Saturdays but the Police Department abandoned vehicle auctions were to remain as before. She asked if Council wished for them to be on Saturdays? Council President Baldorossi stated that it would attract more buyers. Council Member Garganio asked if it could be coordinated where there could be one (1) large auction? Clerk Weiler explained that the abandoned vehicles are held at the towing facility and in all the years that she has been working in municipal government, no one has purchased one of these vehicles, as far as she can remember. The buyer of one of these vehicles has to pay the towing and storage fees to the garage. She also explained that for the township owned vehicles and property, they are auctioned off when there is no longer a need for them. Also, by law there is a set time frame when abandoned vehicles are auctioned off. Council Member Garganio withdrew his question.

Council Member Sandusky asked what the storage facilities get if the abandoned vehicles do not sell? Solicitor Kearns explained that they get to keep the vehicle with a junk title. He also explained that the township is legally required to go out to auction.

Upon roll call Council voted as follows:

YEAS: Fratinardo, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

ORDINANCES

None at this time.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Administrator

- Administrator Brook referenced the letter from the State of NJ that was in the packet regarding the **road grants**. The grant is for different roads and the State is requesting that when the township makes their submittal to receive the funds, it be broken out as separate jobs. Dan Guzzi, Township Engineer, explained that because Railroad Avenue was a large sum of money, the State of NJ wants to process over two (2) fiscal years.

Township Solicitor

- Nothing at this time.

Township Engineer

- Dan Guzzi, Township Engineer, stated that the **Transportation Trust Fund Application**, the DOT application for roads, pedestrian walkways and bikeways

Florence Township Council Regular Session: 07/11/07

is due in August. He asked that the governing body start thinking about projects and discuss at next week's Worksession.

- Mr. Guzzi updated the governing body on **Lennar's progress at Greenbriar Horizon**. He stated that they have been steadily working on completing the **punch list items** but Mr. Guzzi is concerned that they have not addressed any of the walking paths or basins, which are major items. With the weather it has been a great time to work on those items. Lennar does say that they will meet their schedule. Mr. Guzzi is continuing to push them. They have been working daily.

Council Member Ryan asked if Lennar would be working on the basins and walking path? Mr. Guzzi explained that when Justin Bloch of Lennar sent the schedule he stated that they would be completing all punch list items, which includes the basins and walking path. Initially, Mr. Bloch did have issues with those items but after discussing and pointing them out to him, he understands the concerns and has not come back and said he disagrees. Everything that needs to be done to the walking path and detention basins has been outlined for Lennar and they are aware.

Mr. Guzzi will continue to update Mayor and Council at every meeting.

Council Member Ryan noticed as she was out walking that there are fresh tire tracks going into the woods heading towards the turnpike and requested that Mr. Guzzi check to see if someone is dumping debris. Mr. Guzzi will look into.

Mayor Muchowski

- Mayor Muchowski **commended** all of the **township employees** for the **success of the Patriotic Celebration** that took place last Saturday. He feels the Patriotic Celebration Day (5k, flag raising, concert and fireworks) was one of the smoothest in the last few years. He has heard nothing but positive feedback on the day's events. He thanked everyone involved for their time, effort and commitment that they put in.

Council Member Ryan acknowledged Mayor Muchowski's "tremendous speed" in the 5k. She believes the Mayor came in first out the elected officials that participated.

Council Member Sandusky suggested that the Mayor's words be echoed to the township employees involved by way of a letter of thanks.

UNFINISHED BUSINESS

Council Member Garganio discussed the letter from the **State Department of Transportation**. The letter states that after completing an investigation of the **traffic signal** at the **intersection of Cedar Lane and Route 130**, they recommend revisions to the traffic signal operation to include additional green time, leading left turn traffic movements and left turn arrows. They also recommend installation of pedestrian indicators to enhance pedestrian safety. The letter states, "Please note that installation of these revisions will be accomplished by State forces within the earliest time frame possible." Council Member Garganio suggested contacting our Senator and

Florence Township Council Regular Session: 07/11/07

Assemblymen to try to speed up the process. Administrator Brook stated that he will call to see where they are on the schedule and report back next week. The governing body can then decide what route to take.

Council Member Garganio asked if the township followed the standards that are in the **Community Safety Leadership for School Crossing Guards** brochure that the Joint Insurance Fund put out? Administrator Brook explained that right now crossing guards are a big area of risk and liability. Over the years it is becoming more recognized as to what a very important position it is. There is more emphasis on the training of crossing guards before they go on duty. Council Member Garganio asked if the township crossing guards have a physical every year after they are 50 years of age? Administrator Brook stated that the township has not started that yet, but explained that when a crossing guard starts for Florence Township they have a physical; they receive training in accordance with the standard guidelines and are issued all of the appropriate equipment. Council Member Garganio asked if the guidelines in the brochure are mandatory or recommendations? Administrator Brook stated that they are recommendations. He added that crossing guards are in a dangerous, vulnerable position when they are out there with the traffic. The crossing guards are working with police departments and local joint insurance funds for any protection they can get when they are on the job. Administrator Brook will have the Police Captain provide a report of what the township is doing and what can be done in the future.

Council Member Garganio questioned the **zoning application** from an Old York Road resident for **solar panels**. Administrator Brook explained that the applicant would like to put solar panels, not on the roof, but on the property. Administrator Brook asked for a survey of the property showing where the panels would go. They provided a survey that was hand drawn by the solar company with no real measurements, details or setback dimensions and was difficult to understand. After many discussions they provided a survey showing massive solar panels that are 90' x 40' on the outside of the property facing the road where people are entering the new development. He advised them that it is too big of a structure to go without a variance and explained that they have the right to put solar panels on the top of their home without a variance. The representative of the solar panel company stated that this particular property wants to develop the site for commercial use. He advised the representative that they need to come in with a site plan, go before the board and get the appropriate approvals. Administrator Brook denied the request for the large solar panels and advised the representative that she would have to go back to the applicant and file a variance application that should be done as part of a site plan, if they are looking into making large commercial improvements. The last that Administrator Brook heard is that they will be in with a re-submittal to put the panels on the roof.

Council Member Garganio is in favor of solar energy but asked if they were covered well enough with buffering for a 90' x 40' solar panel along the roadway? Solicitor Kearns explained that at that point it becomes a structure and they must come in and meet all of the land use requirements. It is a structure because it is a stand-alone and does not fall within the category of accessories if it is out on its own. Administrator Brook spoke with Nancy Abbott, Planning/Zoning Board Solicitor, who stated that with something that large on the site they are getting away from something that is considered incidental to the

Florence Township Council Regular Session: 07/11/07

use and accessory use. Therefore, they would need a full-blown Use Variance before the Zoning Board. The property owner would have the burden of proof to meet the statutes for a use variance.

Administrator Brook stated that it may benefit the township to look at a zoning code for these types of uses. Council Member Garganio stated that his concern is that there is limited frontage space along the major roads and on that property there is land behind it where solar panels could go that is not along the front of the road. Solicitor Kearns agrees that the Township Planner should look at addressing such things as solar panels. Another thing the township may want to look at is windmills, which are fine in some areas but may not be in other areas such as Roebling. Administrator Brook will contact the Township Planner to get a proposal to prepare a report concerning alternative energy devises for Council and the Planning Board's consideration.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

8:45 PM MOTION by Sandusky, seconded by Garganio to adjourn to Closed Session.
Roll call vote - all ayes.

ADJOURNMENT

8:45 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab